



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill # SB0061

Title: Clarify courts' punitive authority

Primary Sponsor: Driscoll, Robyn

Status: As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: SB 61 may have a minor impact on caseload of the Office of Public Defender and the Judicial Branch.

FISCAL ANALYSIS

Assumptions:

1. This bill clarifies a court's punitive authority related to the nonpayment of fines, costs, or other amounts; provides for a show cause hearing for nonpayment; provides for civil contempt with the possibility of incarceration for nonpayment; and provides for the right to counsel.

Judicial Branch

2. The number of district court cases and or hearings may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because court dockets currently are full in many judicial districts throughout the state.

Office of Public Defender (OPD)

3. The OPD has the statutory obligation to represent individuals charged with a crime who cannot afford to hire counsel, represent individuals on direct appeal, and also to provide counsel if there is a conflict of interest.
4. SB 61 may result in a minor increase in new cases however OPD is unable to quantify the fiscal impact.

Sponsor's Initials

Date

Budget Director's Initials

Date